



SACHI A. HAMAI
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

August 5, 2016

To: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Sachi A. Hamai
Chief Executive Officer

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MOTION TO SEND A FIVE-SIGNATURE LETTER TO THE LOS ANGELES COUNTY CONGRESSIONAL DELEGATION IN SUPPORT OF THE AT-RISK YOUTH MEDICAID PROTECTION ACT (ITEM NO. 3, AGENDA OF AUGUST 9, 2016)

Item No. 3 on the August 9, 2016 Agenda is a motion by Supervisor Kuehl to direct the County's Washington, D.C. advocates to support the At-Risk Youth Medicaid Protection Act of 2016 and send a five-signature letter to the Los Angeles County Congressional delegation expressing the Board's support.

Background

Federal law prohibits the use of Medicaid funds to pay for health care services provided to inmates in a public institution, such as a prison, jail, or other facility in which they are involuntarily confined. This "inmate exclusion" applies only to the availability of Federal reimbursement of the cost of care provided to inmates, and does not require the termination of an inmate's Medicaid eligibility. States can suspend the Medicaid eligibility of inmates, but most states terminate their eligibility. California currently suspends for up to one year the Medicaid eligibility of inmates who were enrolled in Medicaid when they became inmates, regardless of age. Their Medicaid eligibility is restored after they are released from custody if they are otherwise eligible.

At-Risk Youth Medicaid Protection Act of 2016

On April 28, 2016, the At-Risk Youth Medicaid Protection Act (H.R. 5100/S. 2874) was introduced by Representative Tony Cardenas in the House and Senator Chris Murphy (D-CT) in the Senate. These identical bills would prohibit a state from terminating the

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Medicaid eligibility of a juvenile under 21 years of age who is an inmate of a public institution, which would include juvenile probation facilities. States, instead, would be allowed to suspend their Medicaid coverage, and would be required to restore Medicaid eligibility upon a juvenile's release from custody unless the juvenile no longer meets eligibility requirements. The bill also would require states to process applications submitted for Medicaid by juveniles who are inmates of a public institution.

H.R. 5100 was referred to the House Energy and Commerce Committee, and S. 2874 was referred to the Senate Finance Committee. Neither committee has scheduled nor taken action on the bills. The At-Risk Youth Medicaid Protection Act legislation is supported by numerous organizations, including the American Psychological Association, Campaign for Youth Justice, National Disability Rights Network, and the National Juvenile Justice Network.

Conclusion

The County's Health Agency and this office support the At-Risk Youth Medicaid Protection Act (H.R. 5100/S. 2874) because it would ensure the timely reinstatement of Medicaid eligibility for juveniles who otherwise could lose eligibility when they are incarcerated. When Medicaid eligibility is terminated, juveniles often suffer a serious gap in receiving needed health and mental health services.

Support for this motion is consistent with the County's advocacy efforts to support this legislation, pursuant to the July 26, 2016 Washington, D.C. update, and with Board-approved policy in the County's Federal Legislative Agenda to support proposals which would expand Medicaid coverage to more persons, such as the uninsured, persons in state or local detention facilities, and minors whose health needs, otherwise, must be met by the County.

We will continue to keep you advised.

SAH:JJ:MR
MT:ma

c: Executive Office, Board of Supervisors
County Counsel